

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES**

Public Services Commission

IN RE:)	
)	Docket No. 669
BROADBAND VI, LLC PETITION FOR)	Order No. <u>54</u> /2020
ELIGIBLE TELECOMMUNICATIONS CARRIER)	
DESIGNATION IN THE U.S. VIRGIN ISLANDS)	
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ORDER

WHEREAS, pursuant to federal law and the Federal Communications Commission (“FCC”) regulations and practices, the Virgin Islands Public Services Commission (hereinafter “Commission” or “PSC”) received a Petition from Broadband VI, LLC (hereinafter “BBVI”) in 2018 requesting designation as an Eligible Telecommunications Carrier (hereinafter “ETC”) in the United States Virgin Islands in order to be eligible to receive support from the federal Universal Service Fund (“USF”) and that designation was approved by the Commission; and

WHEREAS, annual recertification of continued eligibility is required by the FCC; and

WHEREAS, on September 14, 2020, the Virgin Islands Telephone Corporation d/b/a Viya (hereinafter “Viya”) filed a request for an investigation of the Commission’s ETC designation of BBVI; and

WHEREAS, on September 14, 2020, the Commission received the Report and Recommendations from its Technical Consultant, Georgetown Consulting Group (hereinafter “GCG”); and

WHEREAS, on September 22, 2020, the Commission met in regular session at its office on St. Thomas, USVI located at No. 1003 Estate Ross, Suite 4 and via its Zoom videoconference link; and

WHEREAS, after review and deliberation, the Commission voted to **GRANT** BBVI ETC recertification subject to the following recommendations included in the GCG report and **ADOPT** the Report and Recommendations of the Commission’s technical consultants; and

NOW THEREFORE, the Commission finds and **ORDERS** that, BBVI is **RECERTIFIED** as an Eligible Telecommunications Carrier in the United States Virgin Islands on the following findings, terms and conditions:

1. Within one month following an award of Stage 2 funding, BBVI shall file with the PSC its plans to use such funds to improve broadband service and the timeline of the intended system improvements. The information it provided to the FCC as part of its bid for Stage 2 support in compliance with Section 54.1505(d) will satisfy this requirement.
2. For BBVI's 2021 and future "Use" certification filings, BBVI shall include information on how its past actions, as well as future equipment roll-outs are, and will be, in compliance with FCC Stage 2 network construction or upgrade specifications.
3. BBVI shall provide with the PSC a copy of its annual certifications to the FCC specifically to include those covered in Part 54 Sections 313(n), 316(a)(7) and 316(b)(7). These certifications cover use of the Stage 2 funds for prohibited purposes, review of disaster recovery plans, and progress toward coverage and technical requirements. These BBVI certifications should be filed with the PSC concurrently with the filing submitted with the FCC.
4. BBVI shall offer a voice Lifeline service meeting FCC standards within 90 days after the PSC approves the 2020 "Use" certification. BBVI shall submit a plan within 30 days showing voice Lifeline service pricing, terms and conditions and details of its plans for outreach.
5. BBVI shall immediately comply with the provisions of ordering clause 8.d. of PSC Order 49/2018 regarding BIAS Lifeline service.

So Ordered.

For the Commission,



David Hughes, Chair

Date: **September 30, 2020**
Nunc Pro Tunc